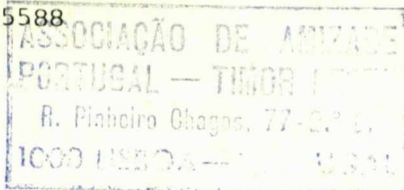


(03) 419.5588



ACFOA EAST TIMOR SUB-COMMITTEE,
183 Gertrude St,
Fitzroy, Vic 3065
Australia.

TL3003

Rep. 3158

21.12.81

re AUSTRALIAN SENATE INQUIRY INTO EAST TIMOR

Dear Friend,

The following advertisement inviting submissions to the Senate Inquiry on East Timor appeared in the Australian press today:

THE AUSTRALIAN
21/12/81



**SENATE STANDING COMMITTEE ON
FOREIGN AFFAIRS AND DEFENCE**

The Senate has referred the following matter to the Committee for investigation and report.

- (A) THE HUMAN RIGHTS AND THE CONDITION OF THE PEOPLE OF EAST TIMOR;
- (B) UNITED NATIONS RESOLUTIONS AND ACTIONS WITH REGARD TO EAST TIMOR; AND
- (C) THE APPROPRIATE POLICIES TO BE ADOPTED BY AN AUSTRALIAN GOVERNMENT IN RELATION TO MATTERS REVEALED IN THE COMMITTEE'S INQUIRY.

Persons and organisations wishing to express their views on all or any aspects of the topic are invited to send a submission to the Committee Secretary, Mr T. Magi, Parliament House, Canberra, A.C.T. 2600 (Tel. (062) 72 6193) on or before 30 March 1982.

After the receipt and consideration of submissions the Committee will hold public hearings.

I am therefore writing to urge you and/or your organisation to make a submission on each or all of the three areas to be investigated. Note that submissions have to reach Canberra by March 30, 1982.

To assist you with the preparation of submissions I have included some further information about the Inquiry.

THE IMPORTANCE OF THE INQUIRY

At the risk of stating the obvious, I want to emphasise the importance of this inquiry.

More than anything else, the Inquiry will provide a unique opportunity to focus sharply on contemporary Timor and set the public record straight on the question. This is important because there is a tendency to regard the Timor issue as over and done with, something that happened in 1975-6. Much of the debate in recent times in the Australian press, for example, concentrated on the rights and wrongs of the past. Only passing mention was made of the present situation despite the availability of compelling reports. Indonesia and Australia, each in its own way, both encourage this 'its over and done with' attitude. Indonesia continues to claim the situation is now normal, that it is pressing ahead with development, and that reports to the contrary are unfounded sensationalism. Australia, for its part, keeps its head down in the face of negative reports and avoids saying anything which might excite public opinion and offend Indonesia. When it does speak it adopts a 'forgive and forget' line

or seeks to absolve itself of responsibility by arguing that East Timor is Indonesia's internal affair.

The Inquiry is an exceptional opportunity to demonstrate the hollowness of these governmental claims and to re-focus attention where it should be - on the needs of the East Timorese at this point of time. It will be difficult to lightly dismiss a strong report from a bi-partisan Senate Committee. It should prove to be an effective instrument in the struggle for justice for Timor, both within Australia and the UN. But, to labour the point, it will only serve this role if a range of good submissions are made.

THE TERMS OF REFERENCE

It should be stressed that submissions are sought on three areas, each of them broad in scope. That is to say, the Inquiry is not only an investigation into the present situation in Timor. To make a submission, therefore, it is not necessary to have a close knowledge of the present circumstances. Views are also sought on the UN role and the policies and actions which the Australian Government should pursue. Submissions on these areas could well include an analysis of the present performance of both the UN and Australia and the rationale employed by both.

It is also important to note that submissions on the present situation in Timor can well be both descriptive and analytical. Incidents and detailed descriptions are necessary. But it will also be necessary to explain why these things are happening, that is to give at least some historical background.

The concept of 'the human rights and condition of the people' should be interpreted in the broad sense. Human rights are often assumed to refer only to individual freedoms. They also include the collective rights of a people to its existence, identity, culture, and political and economic self-determination. The term 'people of East Timor' is broad enough to include submissions on the conditions of the Timorese people wherever they are, be it East Timor, Australia, Jakarta or Lisbon.

These points have been made to open up the full range of possibilities of the Inquiry. The only way to ensure a thorough inquiry and one that is free of superficiality is for strong statements to be made on all aspects of the three areas listed for investigation. There is no time limit on the Committee and no reason why its deliberations and recommendations cannot extend beyond, say, family reunions and aid.

SUBMISSIONS

It is unlikely the Indonesian government will permit the Committee to visit East Timor for an on-the-spot investigation (though, in an effort to influence the Inquiry it may well permit the Australian Department of Foreign Affairs or its proxy to do so).

Therefore the success of the Inquiry will depend largely on the range and quality of submissions made from within Australia and abroad.

- i. If you wish to be heard, your submission should cover the basic points you wish to make and include a formal request to meet the Committee for a further exchange. The informal question-answer sections of the actual hearing are very important.
- ii. If you do not plan to be heard, your submission should be as tight, detailed, reference, and well argued as possible.
- iii. Submissions can be short or long, wide-ranging or confined to just one point. Even a one page report of a single incident can be invaluable, provided it contains as much detail as possible. If in doubt about making a submission, go ahead and do it. Let the Committee decide its relevance.
- iv. The number of submissions from a particular place could well decide whether the Committee travels to that place for hearings.
- v. Documents (photos, letters, reports etc.) can be submitted. Names and sensitive details may be omitted if necessary, with a note saying you are prepared to consider supplying the missing items if the Committee requests.

COMPOSITION OF THE COMMITTEE

The Committee comprises six Senators: Senator Scott (Chairman, NCP, NSW), Senator Bolkus (Labor, SA), Senator McIntosh (Labor, WA), Senator Hamer (Liberal, Vic), Senator Lewis (Liberal, Vic), and Senator Primmer (Labor, Vic).

Mr Tony Magi is Committee secretary.

Hearings will commence in April at the earliest, but depending on other Senate commitments, could stretch on into June or later.

It is safe to assume the Committee will travel to some major cities in Australia. Individual Senators have indicated their desire for the Committee to take evidence outside Australia, in e.g. Jakarta, East Timor itself, and Lisbon. However no funds are available for such travelling.

FINANCES

The Committee has funds to travel to various cities in Australia to conduct hearings. However it has no funds to travel overseas or to pay the fares of witnesses from overseas or within Australia.

It will be necessary, therefore, to establish an Inquiry Fund. If you have any suggestions please contact me.

CONFIDENTIALITY

To protect their organisation or relatives, some individuals will not want to testify in public or make documents (letters, reports etc.) available in their original form.

Several consultations have already been held with members of the Committee on this problem.

In extremely sensitive cases, it may be necessary to make special security arrangements with the Committee. It may be necessary, for example, for the original document or the name of the witness to be known to only one Senator who can then vouch for their authenticity before the Committee. Where this is required, clear guarantees will need to be given that this evidence is for that person's eyes only.

For less sensitive cases, several procedures are possible to maintain anonymity:

- i. two submissions can be made, one for the record, the other for the confidential scrutiny of the Committee alone.
- ii. witnesses can be heard in camera, ie in private behind closed doors with only the Committee and its secretarial backup present. If necessary the witness can be referred to only as Mr X or Mrs Y. The evidence provided would be recorded by Hansard, but not published. A copy would be supplied to the Committee and one to the witness.
- iii. as mentioned above, documents can be submitted with names and other traceable details removed.

If you feel you would to discuss your anxieties about confidentiality further, please do not hesitate to contact me.

With every best wish,

Yours sincerely,

Pat Walsh

Pat Walsh